

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention      Electric Press Device

As the below named inventor(s), I/we declare that:

The declaration is directed to:

☐ The attached application, or

☒ Application No. 10/533,518, filed on 04/28/2005,

☐ as amended on \_\_\_\_\_ (if applicable).

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME(S) OF INVENTORS:

Inventor one: Ralf Kosan

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Citizen of: Germany

Inventor two: Kai Seelig

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Citizen of: Germany

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ralf Kosan et al.

Serial No.: 10/533,518

Filed: April 28, 2005

For: Electric Press Device

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Group No.: Unknown

Examiner: Unknown

DOCKET NO.: HO-P03170US0

**ADDED PAGE TO DECLARATION FOR SIGNATURE BY JOINT INVENTOR(S)  
ON BEHALF OF NONSIGNING INVENTOR(S) WHO REFUSE(S) TO SIGN OR  
CANNOT BE REACHED (37 C.F.R. § 1.47 (a))**

MS Missing Parts  
Commissioner of Patents and Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the nonsigning joint inventor, particulars for whom are KAI SEELIG, nonsigning inventor, WHO REFUSES TO SIGN, with a last known address of MORSUMER STRASSE 93, BREMEN GERMANY 28277, and having a citizenship in GERMANY.

Accompanying this declaration is (1) a statement of facts in support of filing on behalf of nonsigning inventor, and (2) the petition fee of \$130.00. (37 C.F.R. § 1.17(i)).

Date: 9-12-2005

  
\_\_\_\_\_  
Ralf Kosan

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	§	
	§	
Ralf Kosan et al.	§	Group No.: Unknown
	§	
Serial No.: 10/533,518	§	
	§	
Filed: April 28, 2005	§	Examiner: Unknown
	§	
For: Electric Press Device	§	DOCKET NO.: HO-P03170US0

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF  
NONSIGNING INVENTOR (37 C.F.R. § 1.47)**

MS Missing Parts  
Commissioner of Patents and Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

**IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

Name: Matthias Philipp

Address: Boehmert & Boehmert, Hollerallee 32, D-28209 Bremen, Germany

**LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR**

Name: KAI SEELIG

Address: MORSUMER STRASSE 93, 28277 BREMEN GERMANY

**EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND  
OBTAIN INVENTOR'S SIGNATURE**

The above referenced application is a national stage filing of PCT Application No. PCT/DE03/03338 filed October 9, 2003, which has priority from DE 10251387.2 filed November 1, 2002. At the time of the invention, the two inventors were working together. Upon information and belief, during the pendency of the PCT application, there was no indication that Mr. Seelig would refuse to sign the declaration.

**DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR**


On May 9, 2005 I received a copy of the documents that were filed in the U.S. PTO in order to perfect the U.S. national stage filing of the above referenced PCT application. I thereafter sent a copy of the filed documents, that included the specification, claims, drawing sheets and abstract, to both Mr. Kosan and Mr. Seelig. On June 20, 2005 I received the declaration and assignment for execution by the inventors from Fulbright & Jaworski for the above referenced application. On June 22, 2005, I sent a copy of declaration and assignment, along with the specification, claims, drawing sheets and abstract under separate cover, to Mr. Seelig requesting that he execute these documents and return them to me so that I could forward them to Fulbright & Jaworski for filing in the USPTO.

**DETAILS OF REFUSAL OF NONSIGNING INVENTOR TO SIGN APPLICATION  
PAPERS**

Enclosed is a copy of the letter I sent to Mr. Seelig and the return envelope showing that Mr. Seelig refused to accept the certified letter. I have also attempted to contact Mr. Seelig by telephone numerous time and have not been successful in contacting him. By virtue of the fact that Mr. Seelig refused to sign for the certified letter, indicates that he clearly received the correspondence and attached documents.

Thus, based on the facts set forth above, I believe that Mr. Seelig will not execute the declaration.

Date: 10/01/2006

  
\_\_\_\_\_  
Matthias Philipp

Plus 2 added pages

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## ANWALTSSOZIOZETÄT

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### Einschreiben / Rückschein

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In Zusammenarbeit mit/in cooperation with  
DIPLOM.-CHEM. DR. HANS ULRICH MAY, PA\*, München

◊ - Maître en Droit  
◊ - Licencié en Droit  
◊ - Diplôme d'Études Approfondies en Conception de Produits et Innovation

Representation at OHIM - Trademarks and Designs

Ihr Zeichen  
Your ref.

Ihr Schreiben  
Your letter of

Unser Zeichen  
Our ref.

Bremen,

K10186US

Ph!

21. Juni 2005

USA - Patentanmeldung Elektrische Preßvorrichtung - Ralf Kosan  
Hier: Assignment/Declaration

Sehr geehrter Herr Seelig,

Wir haben von unseren amerikanischen Kollegen ein Assignment sowie eine Declaration mit bitte um Unterschrift erhalten. Da die Angelegenheit eilbedürftig ist, möchten wir Sie bitten, die Unterlagen schnellstmöglich zu unterzeichnen und an uns zurückzusenden.

Mit freundlichen Grüßen  
BOEHMERT & BOEHMERT

  
Dr. Matthias Philipp  
Patentanwalt

Anlage:  
Assignment, unterzeichnet zurückerbeten  
Declaration, unterzeichnet zurückerbeten

- 25.185 -

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